

REMARKS

After entry of the foregoing amendment, claims 6-11 and 19 remain pending in the application.

The present application was filed with nearly the same claims, and substantially the same spec, as parent application 09/567,405. (Most of the changes in the present application relate to “fragile” watermarks.)

Claims 12-18 stand allowed in the ‘405 application, and will be pursued there – together with newly-added claims 20-23.

Claims 1-5 are canceled from this application to expedite prosecution. Applicants reserve the right to pursue claims of commensurate scope in one or more related applications.

Claims 6-11 and 19 stand rejected over Kara (5,717,597) in view of Rhoads (WO 96/36163) and Ramsay (5,502,576). These rejections are respectfully traversed.

Kara is understood to teach a greeting card featuring personalized postage indicia. Rhoads concerns digital watermarking (steganography).

As acknowledged in the Action, Kara does not teach a fragile digital watermark representing plural bits of digital data to evidence scanning and printing.

Applicants agree with the Action’s statement that “Rhoads discloses digital watermark representing plural bits of digital data.” However, applicants do not agree that Rhoads teaches such watermark “being applied as tags to a mail item surface,” as stated in the action.

The Action refers to Rhoads at pages 20 and 101 for the cited teachings.

Rhoads at page 20 notes that his encoded signal can be distributed in various ways, “*including converted to printed image form, stored on magnetic media (floppy diskette, analog or DAT tape, etc.), CD-ROM, etc., etc.*” However, this is not understood to teach applying a watermark “as tags to a mail item surface,” as stated in the Action.

Rhoads at page 101 notes that his technology also finds applications in business cards (i.e., carrying a photography having unobtrusive, machine readable contact data embedded therein), merchandise marking (e.g., encoding of merchandise labels), and medical records. Again, however, this page is not understood to teach applying a watermark “as tags to a mail item surface,” as stated in the Action.

Accordingly, because Rhoads does not include the teaching for which it is cited, applicants respectfully submit that a prima facie case of obviousness has not been established as to claims 6-19.

The rejections also rely on Ramsay, which is cited as showing “*document processing system comprising fragile watermark on the document (column 8, lines 35-50) designed to evidence reproduction by scanning and printing (figure 3).*”

Again, however, applicants respectfully submit that Ramsay does not teach the necessary subject matter.

The cited excerpt of Ramsay teaches that an original document can include a watermark. But the watermark contemplated by Ramsay is apparently of the conventional type (e.g., created during the papermaking process) – not a digital watermark as specified by claims 6 and 8-11.

Moreover, the watermark of Ramsay is not understood to function to evidence reproduction by scanning and printing. Rather, as indicated by column 8, lines 35-50, the Ramsay watermark appears to be employed for a different purpose: to help assure the integrity and authenticity of an electronic image.

The reference in the Action to Fig. 3 of Ramsay is not understood. That figure appears to simply show a source document oriented in the vertical position. Clarification is requested.

Still further, applicants respectfully submit that the motivation stated in the Action for modifying and combining the references is insufficient to sustain a Section 103 rejection.

In addition to the foregoing, the limitations of independent claims 7 and 8 do not appear to have been addressed in the Action.

Regarding claim 9, as noted in the Action, Kara does not teach any steganographic encoding. Accordingly, the citation to Kara’s printing is not understood to support a claim limitation concerning the form of steganographic encoding.

Claim 11 concerns texturing the surface of an envelope. The Action does not appear to have addressed this limitation.

To the extent the rejection of claim 19 is based on rejection of claims 6-11, the rejection is similarly flawed.

Moreover, claim 19 has requirements that are not found in claims 6-11, nor found in any of the applied art. For example: two machine readable indicia, a first being a franking mark applied by a first party, and the second conveying data associated with an authorized user of the envelope. Also missing is art showing cooperative use of first and second such indicia to confirm that use of the envelope by the first party is authorized.

The undersigned notes that Manduley 5,650,934 (applied in the rejection of claims 1-5) does not seem to be listed on the Form PTO-892. The Examiner is requested to prepare a Form PTO-892 listing this reference, and send a copy with the next Action.

Favorable reconsideration of claims 6-11 and 19 is solicited.

Date: December 19, 2003

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Respectfully submitted,

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